

ORIGINAL

1 CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the
 United States of America that on this day I caused a
 copy of this document to be delivered to all counsel of
 record

John J. Kannin
 Dated December 19, 2001 at Seattle, Washington

The Honorable Thomas Zilly
 CC TO JUDGE DJ

3 FILED _____ ENTERED
 LODGED _____ RECEIVED

DEC 19 2001 DJ

AT SEATTLE
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 BY DEPUTY

9 UNITED STATES DISTRICT COURT
 10 FOR THE WESTERN DISTRICT OF WASHINGTON
 11 AT SEATTLE

12 WILLIAM ROBERT SMITH II,

No. C00-1615 Z

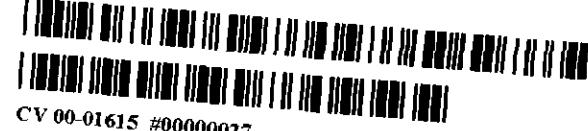
13 Plaintiff,

DECLARATION OF JOHN J. KANNIN

14 v.

15 OFFICER R. GONZALES, OFFICER
 16 JOHN DOE TOWNE, Seattle Police
 17 Officers, Individually in their Personal
 18 capacity, and CHIEF OF POLICE NORM
 19 STAMPER, Individually in his Personal
 20 Capacity and as Chief, Supervisor and
 21 Policy Maker in his official capacity, and
 22 THE CITY OF SEATTLE, a Municipal
 23 Corporation, and Unknown Policy Makers,

Defendants.



CV 00-01615 #00000027

JOHN J. KANNIN, states and declares as follows

1 I am the attorney for William Robert Smith, plaintiff in the above captioned matter
 2 and this declaration is made in support of Plaintiff's Memorandum in Response to Defendants'
 3 Motion for Summary Judgment. The following statements are based upon my personal knowledge,
 4 and I am competent to testify to the matters set forth herein in this declaration.

1 2. This personal injury and § 1983 case arises from a shooting incident occurring here
2 in Seattle on December 5, 1998. Plaintiff William Robert Smith filed this civil action on September
3 22, 2000. The jury trial is set for sometime after February 20, 2002

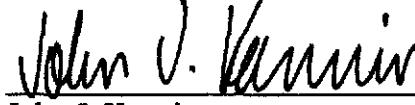
4 3. Attached are true and correct copies of:

- 5 A. Deposition testimony of Officer Rudy P. Gonzales, 8/7/01.
6 B. Deposition testimony of Officer Rolfe Towne, 8/7/01.
7 C. Deposition testimony of Mr. Norm Stamper, 11/5/01.
8 D. Deposition testimony of Mr. William R. Smith, 11/7/01.
9 E. Seattle Police Department, Incident Report completed by R. Christopherson
10 F. Seattle Police Department Hazard Report completed by Officer Gonzales and
11 approved by Sgt. Towne.
12 G. Seattle Police Department, Incident Report completed by R. Gonzales and
13 approved by R. Towne.
14 H. Smith's emergency room treatment notes.
15 I. Debra Malcolm's Interview Notes,
16 J. Dr. Irving Cohen's August 27, 2001 opinion letter.
17 K. Declaration of Van Bogardus III.
18 L. ARWEN 37 Data

19 4. Seattle Police Department Lieutenant McDonough's deposition took place on Monday
20 December 17, 2001. The transcript is not yet available.

21 5. The foregoing is made under the penalty of perjury and under the laws of the State of
22 Washington as true and correct.

23 Signed at Seattle, Washington this 19th day of December 2001.

24 
25 John J. Kannin

EXHIBITS
NOT
SCANNED